

ITEM NO.7

COURT NO.4

SECTION XIV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 11759/2019

(Arising out of impugned final judgment and order dated 25-04-2019 in LPA No. 184/2019 passed by the High Court of Delhi at New Delhi)

UNION OF INDIA & ORS.

Petitioner(s)

VERSUS

M/S. RVG METALS AND ALLOYS PVT. LTD.

Respondent(s)

(IA No. 76094/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 78799/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 76095/2019 - PERMISSION TO FILE LENGTHY LIST OF DATES)

WITH

Diary No(s). 16814/2019 (XIV)

(IA FOR PERMISSION TO FILE PETITION (SLP/TP/WP/..) ON IA 76236/2019 FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 76237/2019

IA No. 76237/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 76236/2019 - PERMISSION TO FILE PETITION (SLP/TP/WP/..))

SLP(C) No. 13018/2019 (XIV)

(IA No. 82886/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 13020/2019 (XIV)

(IA FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 82938/2019

IA No. 82938/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 13027/2019 (XIV)

(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 83126/2019

IA No. 83126/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Diary No(s). 20131/2019 (II-C)

(FOR PERMISSION TO FILE SLP WITHOUT CERTIFIED/PLAIN COPY OF IMPUGNED ORDER ON IA 89827/2019

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 89830/2019

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 96366/2019)

Date : 29-07-2019 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s) Mr. Tushar Mehta,SG
Mr. Aman Lekhi,ASG
Mr. Rajat Nair,Adv.
Mr. Rajan Kumar Chourasia,Adv.
Ms. Shraddha Deshmukh,Adv.
Kanu Agrawal,Adv.
Mr. Gurmeet Singh Makker, AOR

Mr. Aniruddha Deshmukh, AOR
Ms. Naveen Goel,Adv.

For Respondent(s) Mr. Vikas Singh,Sr.Adv.
Ms. Deepika Kaliya,Adv.
Mr. Varun Singh,Adv.
Mr. Lenin Raj K.,Adv.
Mr. Gautam Talukdar, AOR
Mr. Raktim Gogoi,Adv.
Mr. Kartikey Singh,Adv.
Mr. Sarvaswa Chhajjer,Adv.

Mr. R. Balasubramanian,Sr.Adv.
Mr. Sachin Sharma,Adv.
Mr. Arvind Kumar Sharma, AOR

Mr. Dhruv Mehta,Sr.Adv.
Mr. Aman Vachher,Adv.
Mr. Ashutosh Dubey,Adv.
Mr. Dheeraj,Adv.
Mr. Yashraj Deora,Adv .
Mr. Abhishek Chauhan,Adv.
Mrs. Anshu Vachher,Adv.
Ms. Rajshree Dubey,Adv.
Mr. Arun Nagar,Adv.
Mr. P.N. Puri, AOR

UPON hearing the counsel the Court made the following
O R D E R

Permission to file special leave petition(s) and permission to file special leave petition(s) without certified/plain copy are granted.

The affidavits given in Court are permitted to be filed during the course of the day.

Mr. Tushar Mehta, learned Solicitor General of India, has placed before us a policy decision taken by the Government of India. We have gone through it.

As per policy decision including the respondent 16 licences are to be cancelled. Be that as it may, we decline to comment on the merits of the aforesaid policy decision as that is not in issue before us.

It is open to the Government of India to take action in accordance with law, as already mentioned in the note that has been produced before us.

We are not inclined to interfere with the impugned orders passed by the High Court. The policy decision would be prospective in nature and it would be open to the Government of India to take action in accordance with law as per the policy decision including the respondent. However, we make it clear that similar action has to be taken against all the players in field, 16 in number, and not against one individual. The directions of the High Court shall not come in the way in implementing the policy decision/action. However, the action taken shall be open to judicial review on its own strength and merits that has to be tested on the anvil of the law and the provisions of the Act in appropriate proceedings, if it is questioned.

We also make it clear that CBI inquiry has to be in accordance with law and would be subject to decision of High Court and it cannot be confined against individual company.

The special leave petitions are, accordingly, disposed of.

Pending application(s), if any, shall stand disposed of.

(NARENDRA PRASAD)
COURT MASTER

(JAGDISH CHANDER)
COURT MASTER